

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q75241

Tsutomu ISHI, et al.

Appln. No.: Unknown

Confirmation No.: Unknown

Group Art Unit: Unknown

Filed: July 22, 2003

Examiner: Unknown

For: OPTICAL DEVICE, OPTICAL MODULE, OPTICAL HEAD, AND OPTICAL  
RECORDING/REPRODUCING APPARATUS USING THE SAME

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith.

1. H. A. Bethe, "Theory of Diffraction by Small Holes", Physical Review, Vol. 66, Nos. 7 and 8, October 1 and 15, 1944, pp. 163-182.
2. T. W. Ebbesen et al., "Extraordinary optical transmission through sub-wavelength hole arrays", Nature, Vol. 391, (February 12, 1998), pp. 667-669.
3. U.S. Patent No. 5,973,316 issued October 26, 1999.
4. U.S. Patent No. 6,040,936 issued March 21, 2000.
5. U.S. Patent No. 6,236,033 issued May 22, 2001.

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INFORMATION DISCLOSURE STATEMENT

6. U.S. Patent No. 6,285,020 issued September 4, 2001.
7. Japanese Patent Application Publication No. 2001-291265, published October 19, 2001.
8. Japanese Patent Application Publication No. 2001-74632, published March 23, 2001.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date for an application other than a continued prosecution application (CPA) under §1.53(d); (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant states that above references 7 and 8 are discussed within the specification beginning at page 3, line 20 and page 5, line 13.

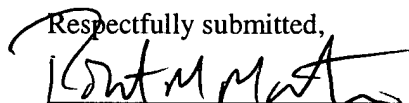
The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

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**23373**

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Date: July 22, 2003

Substitute for Form 1449 <sup>1</sup> A & B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>				<i>Complete if Known</i>	
				Application Number	Unknown
				Confirmation Number	Unknown
				Filing Date	July 22, 2003
				First Named Inventor	Tsutomu ISHI
				Art Unit	Unknown
Examiner Name	Unknown				
Sheet	1	of	1	Attorney Docket Number	Q75241

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code <sup>2</sup> <i>(if known)</i>		
		US 5,973,316	A	10/26/1999	Ebbesen et al.
		US 6,040,936	A	03/21/2000	Kim et al.
		US 6,236,033	B1	05/22/2001	Ebbesen et al.
		US 6,285,020	B1	09/04/2001	Kim et al.
		US			
		US			
		US			
		US			
		US			

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> <i>(if known)</i>			
		JP	2001-291265	A	10/19/2001		
		JP	2001-74632	A	03/23/2001		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>
		H. A. Bethe, "Theory of Diffraction by Small Holes", Physical Review, Vol. 66, Nos. 7 and 8, (October 1 and 15, 1944), pp. 163-182.	
		T. W. Ebbesen et al., "Extraordinary Optical transmission through sub-wavelength hole arrays", Nature, Vol. 391, (February 12, 1998), pp. 667-669.	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or in the comment box of this document. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to indicate here if English language Translation is attached.